IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 5280 OF 2005
IN
CRIMINAL APPEAL NO. 773 OF 2005

Mr. Snehal Prakash Shirke ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. A.A. Jambotkar, Advocate for Applicant

Mr. D.P. Adsule, A.P.P. for State.

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CORAM: SMT. V.K. TAHILRAMANI, J.

DATED: 22ND AUGUST, 2005

P. C.:-

1. Heard both sides.

2. The applicant has been convicted mainly under Section r.w. 394 of I.P.C. The maximum sentence imposed on the applicant is one year.

3. It is stated by the learned advocate for the applicant that the applicant was on bail pending the trial and this liberty has not been misused by him. This statement has not been controverted by the prosecution. It is further submitted by the learned advocate for the applicant that the maximum sentence imposed on the applicant is one year and this appeal

is not likely to be heard within the said time.

4. The Supreme Court in the case of **Bhagwan Rama Gosai and Ors. Vs. State of Gujrat reported in (1999) 4 SCC 421,** has observed that if the sentence if of limited duration and the appeal cannot be heard expeditiously, then bail should be granted. It is not possible to hear the present appeal expeditiously. In view of all the facts and circumstances, I am inclined to grant bail.

5. The applicant Snehal Prakash Shirke, to be released on bail in the sum of Rs.20,000/- with one or two sureties to make the said amount. The applicant shall report on every Sunday to Dadar Railway police station, during the pendency of this appeal.

5. Application is disposed of.

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